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OFFICIAL JOURNAL OF THE PLANT VARIETY PROTECTION OFFICE



PREFACE

The Plant Variety Protection Act, (7 U.S.C. 2321 et seq.) authorizes the Secretary of Agriculture to publish an Official Journal and to provide the public with pertinent information relating to the operations of the Plant Variety Protection Office.

The statute also authorizes the Secretary to disseminate technological and other information available to the Office that would encourage innovation and promote progress in plant breeding.

The Official Journal, which is published quarterly, includes instructions issued by the Office and related information. It will be sent free to anyone on request. Send requests to:

Plant Variety Protection Office
Grain Division, AMS
U.S. Department of Agriculture
6525 Belcrest Road
Hyattsville, Maryland 20782

This issue covers the period from October 1 through December 31, 1973.

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APPLICATIONS RECEIVED
FROM OCTOBER 1, 1970, TO DECEMBER 31, 1973

Application No.	Date	Name of applicant(s)	Name of kind	Name of variety (or identification)
7400021	10/1/73	Asgrow Seed Company	bean	Gina
7400022	"	"	pea	Spring
**7400023	"	McNair Seed Company	cotton	McNair 712 (3)
7400024	"	BC Seeds, Inc.	lettuce	K 1 Coach 74A
7400025	10/9/73	Delta & Pine Land Company	cotton	Deitapine 66
7400026	10/25/73	(Permission to publish not rec'd)	soybean	McKoy 1100
7400027	11/6/73	"	barley	RPB110-69
7400028	11/7/73	"	pea	Vernon
7400029	"	"	pea	Hustler
7400030	11/9/73	"	California	Ballerina Yellow
7400031	11/19/73	"	poppy	Polar
7400032	11/9/73	"	alfalfa	Orange Gem
7400033	11/9/73	"	Calendula	Ruffled Jumbo Scarlet
7400034	11/9/73	"	zinnia	Big Almost White
**7400035	11/15/73	McNair Seed Company	marigold	McNair 944 (3)
7400036	11/26/73	Bryco Plant Research Division	tobacco	Brysoy 58
7400037	"	"	soybean	Brysoy 74
7400038	"	"	soybean	Brysoy 9
7400039	9/26/73	Frontier Hybrids, Inc.	wheat	Restorer
7400040	12/14/73	W. Atlee Burpee Company	bean	Greensleeves
7400041	12/21/73	(Permission to publish not rec'd)	ryegrass	Sabel
7400042	"	"	ryegrass	PXB 69/71
7400043	12/14/73	"	cotton	Northern Star R-4A
7400044	12/17/73	DeKalb AgResearch, Inc.	wheat	DeKalb 581M
7400045	"	"	wheat	DeKalb 582M

CORRECTIONS

Delete Nos. 73078 and 73079.

**To be sold by variety name only as a class of certified seed.
() No. of generations of certified seed permitted beyond breeder's seed.

AMENDMENTS

<u>Application No.</u>	<u>Date</u>	<u>Name of applicant(s)</u>	<u>Name of kind</u>	<u>Name of variety (or identification)</u>
**72031	9/16/71	Texas Agricultural Experiment Sta.	wheat	TAM W-101 (3)
**72045	10/26/71	" "	cotton	Tamcot SP 23 (3)
**72046	"	" "	cotton	Tamcot SP 37 (3)
**72047	"	" "	cotton	Tamcot SP 21 (3)
73027	11/13/71	Ferry-Morse Seed Company	bean	Blue Crop
73028	"	" "	bean	Ozark
73029	"	" "	bean	Cumberland
**73058	2/15/73	Mississippi Agricultural and Forestry Experiment Station	soybean	Forrest (3)
**73059	"	Mississippi Agricultural and Forestry Experiment Station	cowpea	Mississippi Purple (3)

CERTIFICATES ISSUED

<u>Certificate No.</u>	<u>Issue date</u>	<u>Owner</u>	<u>Name of kind</u>	<u>Name of variety</u>
7300091	Oct. 18, 1973	Coker's Pedigreed Seed Company	soybean	Coker 136

Novelty: 'Coker 136' is similar to 'Dare' in plant shape, seed size, seed shape, plant pubescence color, and maturity. It differs from 'Dare' since it is susceptible to downy mildew, is 5 to 10 cm. taller in plant height, and has a purple rather than a white flower.

7300018	Nov. 8, 1973	Farmers Forage Research Co.	soybean	FRR 777
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Novelty: 'FRR 777' resembles the variety 'Hood' in general plant appearance and seed characteristics. 'FRR 777' is 7 days later than 'Hood' in maturity and is in maturity group VII. The inflorescences of 'FRR 777' develop a higher percentage of 2-seeded pods and the plants are approximately 15 cm. taller than 'Hood.'

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CERTIFICATES ISSUED

<u>Certificate No.</u>	<u>Issue date</u>	<u>Owner</u>	<u>Name of kind</u>	<u>Name of variety</u>
**7200118	Nov. 19, 1973	Oklahoma Agricultural Experiment Station	wheat	Nicoma
<p><u>Novelty:</u> 'Nicoma' is most similar to 'Triumph 64' in maturity, plant height, test weight, winter hardiness and resistance to loose smut. 'Nicoma' has significantly stronger gluten properties and a higher mixing tolerance than 'Triumph' and 'Triumph 64.' It is superior in grain yield potential and milling and baking quality. It has averaged 15 percent less rust than 'Triumph.'</p>				
7300069	Dec. 20, 1973	Asgrow Seed Company	lettuce	Tempe
<p><u>Novelty:</u> 'Tempe' most closely resembles 'Golden State D.' It differs in the following characteristics: darker green, more resistant to spiraling, better leaf protection of the head, 3-6 days earlier, and more deeply incised leaf margin in the seedling stage.</p>				
7300070	Dec. 20, 1973	Asgrow Seed Company	lettuce	Oasis
<p><u>Novelty:</u> 'Oasis' most closely resembles 'Mesa 659.' The leaf margin is more unevenly cut. The inflorescence is about 20 cm. shorter than 'Mesa 659' and 'Great Lakes 659-700.' 'Oasis' was 50 percent bolted when 'Mesa 659' was 40 percent. When 'Oasis' was 50 percent bolted, 'Mesa 659' was 100 percent, in the same trials.</p>				

**To be sold by variety name only as a class of certified seed.

GENERAL INFORMATION

QUESTIONS AND ANSWERS ABOUT THE PLANT VARIETY PROTECTION ACT

Q: What have been the biggest problems in implementing the Plant Variety Protection Act so far?

A: In addition to the problem of starting a new program, our biggest problem has been in processing, in a timely manner, a backlog of applications for protection on 59 different species. We have four full-time examiners. An examiner can computerize and examine only one species at a time. So far we have issued certificates of protection on lettuce and soybean. The first certificate on wheat is being issued, and certificates of protection should be issued on cotton by the end of December. Certificates on peas and beans should be issued early in 1974.

Q: Have any certificates issued so far been contested?

A: No.

Q: What wording should be used on bags and tags to properly conform with the notification of the public that seed within the container is to be protected under the provisions of the Plant Variety Protection Act?

A: The only wording required under the Act is "Propagation Prohibited" and "U.S. Protected Variety." Additional suggested wording is contained in the regulations under the Act. Additional wording is being used by some firms to help buyers understand the limitations on reproduction.

Q: What is the role of State certification for genetic purity in Plant Variety Protection?

A: The Plant Variety Protection Act is the only known plant protection law that allows an owner to specify that a protected variety must be sold by variety only as a class of certified seed.

Q: What are the advantages and disadvantages of specifying that a variety is to be sold only as a class of certified seed?

A: An advantage is that after a certificate of protection is issued, the sale by variety name of uncertified seed of the protected variety becomes a violation of the Federal Seed Act. This is true whether the sale is in intrastate or interstate commerce. A disadvantage is that, after an owner specifies sale as certified seed only, if the owner cannot obtain State certification of a particular lot of seed he cannot sell the seed by variety name as uncertified seed.

Q: Can certified seed of a protected variety be sold if the "certified seed only" option is not specified?

A: Yes, if the specification is not made, a producer can sell certified or non-certified seed of the variety.

UNITED STATES
DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service
Grain Division, Plant Variety Protection Office
6525 Belcrest Road
Hyattsville, Maryland 20782

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